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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,387	03/31/2004	Mihai Florin Ionescu	24207-10091	5527

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/814,387	Applicant(s) IONESCU ET AL.	
	Examiner Cindy Nguyen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to amendment filed 12/19/06.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

Claims 14-25 recite the limitation "the computer readable medium". There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 10, 12-16, 22, 24, 25, 27-30, 33 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Vleet et al. (US 20050033803) (hereafter Vleet).

Regarding claims 1, 13 and 27, Vleet discloses: a method, a computer readable medium containing program code and a system comprising: determining an event schema for an application (i.e. it initially checks its respective cache to determine whether the relevant event data resides therein, and responds to the query of the data is present..., paragraph 0040, and web application 38, fig. 1, Vleet); and capturing event data about a previously-occurring event (i.e. the event data captured by the event history server 32, paragraphs 0027, Vleet) responsive to the event schema (i.e. event subjects that indicates the data stored in the value field for each such event subject, paragraph 0045 and table 1, Vleet) by crawling a memory of a computer used by a user (i.e. the web site system 30 hosts an electronic catalog that may be browsed and searched by users to locate item (new article, etc.) and also assumes that the web site system 30 implements a search engine for locating external web sites and page, paragraph 0045, Vleet), wherein the event comprises interactions of the user with an article (as new articles, 0045) associated with the application (actions performed by users during browsing of the particular web site, paragraph 0027, Vleet); and storing the event data in a searchable database (i.e. storing the event data in storage layer server 46, paragraph 0035, 0036, Vleet).

Regarding claims 2, 14 and 28, all the limitations of these claims have been noted in the rejection of claims 1, 13 and 27 above, respectively. In addition, Vleet discloses further comprising transferring the event data to a search application (the web applications interact

with the event history server 32 primarily by sending event queries to the event history server 32 in order to retrieve or obtain information about specific events, paragraph 0028, Vleet).

Regarding claims 3, 15 and 29, all the limitations of these claims have been noted in the rejection of claims 1, 13 and 27 above, respectively. In addition, Vleet discloses further comprising accessing and providing the event data to a requester by a search application in response to a search query submitted by the requester (i.e. when a server receives an event query from a client, it checks its respective caches to determine whether the relevant event data resides therein, and responds to the query if the data is present... response to the requesting client, paragraph 0040, Vleet).

Regarding claims 4, 16 and 30, all the limitations of these claims have been noted in the rejection of claims 1, 13 and 27 above, respectively. In addition, Vleet discloses wherein determining the event schema comprises one of either receiving, creating, or providing the event schema (receives an event query from a client, responds to the query by generating a response and passes the response to the requesting client, 0040, 0044, 0045, Vleet).

Regarding claims 10 and 22, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Vleet discloses: wherein the event relates to a current user state associated with the application (the server only stores event data associated with its respective range or group of session IDs, for example, when a user starts a new browsing session, threat session is assigned to a particular cache layer server, paragraph 0032, Vleet).

Regarding claims 12, 24 and 25, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Vleet discloses: wherein the event data is transferred using one or a combination of the following information exchange mechanisms: Extensible Markup Language-Remote Procedure Calling Protocol (XML/RPC), Hypertext Transfer Protocol (HTTP), Simple Object Access Protocol (SOAP), Shared memory, sockets, local or remote procedure calling (0006, Vleet).

Regarding claim 33, all the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Vleet/Cotton discloses: wherein storing comprises determining a related event related to the event, associating the event with the related event, and storing the association between the event and the related event 0045, 0046, Vleet).

Regarding claim 34, all the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Vleet/Cotton discloses: wherein capturing comprises requesting and receiving event data from an application used by the user (0027, 0029, Vleet).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-9, 11, 17-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US 20050033803) (hereafter Vleet) in view of Cotton et al. (US 7016919) (hereafter Cotton).

Regarding claims 5 and 17, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. However, Vleet didn't disclose wherein determining the event schema comprises accessing a registered event schema. On the other hand, Cotton discloses: wherein determining the event schema comprises accessing a registered event schema (i.e. each event is stored with a time stamp, and a traceability report can be generated based on the events, thereby creating a history of all events that have occurred with regard to the data, col. 4, lines 34-37; generating an event each time new data is submitted and each time annotations, alterations, or new versions of the data are entered into the application, col. 4, lines 50-55, Cotton).

Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein determining the event schema comprises accessing a registered event schema in the system of Vleet as taught by Cotton. The motivation being to enable the system provides an application adapted to run within an enterprise wide web-based framework include a schema requiring predefined types of meta-data to be marked up with

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new data to be submitted to the framework and generating an event each time new data is submitted and generating new versions of the data are entered into the application, thereby creating a history of all events that have occurred with regard to the data (col. 4, lines 30-59, Cotton).

Regarding claims 6 and 18, all the limitations of these claims have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Vleet/Cotton discloses: wherein the registered event schema comprises an event schema indicating information to be captured for a designated application or class of applications on a client device (col. 3, lines 62 to col. 4, lines 59, Cotton). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include the wherein the registered event schema comprises an event schema indicating information to be captured for a designated application or class of applications on a client device in the system of Vleet as taught by Cotton. The motivation being to enable the system provides an application adapted to run within an enterprise wide web-based framework include a schema requiring predefined types of meta-data to be marked up with new data to be submitted to the framework and generating an event each time new data is submitted and generating new versions of the data are entered into the application, thereby creating a history of all events that have occurred with regard to the data (col. 4, lines 30-59, Cotton).

Regarding claims 7 and 19, all the limitations of these claims have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Vleet/Cotton discloses: wherein the registered event schema is an extension of another registered event schema (col. 14, lines 52-66, Cotton). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include t the registered event schema is an extension of another registered event schema in the system of Vleet as taught by Cotton. The motivation being to enable the system provides integrity and traceability of the data managed and prevents tampering with data once it has been entered (col. 14, lines 52-66, Cotton).

Regarding claims 8 and 20, all the limitations of these claims have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Vleet/Cotton discloses: wherein the registered event schema has different versions (col. 6, lines 30-37, Cotton). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include the registered event schema has different versions in the system of Vleet as taught by Cotton. The motivation being to enable the method to generate an event each time new data is submitted and generating new versions of the data are entered into the application, thereby creating a history of all events that have occurred with regard to the data (col. 4, lines 30-59, Cotton).

Regarding claims 9 and 21, all the limitations of these claims have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Vleet/Cotton discloses: wherein the registered event schema is an extension of a predefined base event schema provided by a

search application (col. 6, lines 30-37, Cotton). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include the registered event schema is an extension of a predefined base event schema provided by a search application in the system of Vleet as taught by Cotton. The motivation being to enable the method to generate an event each time new data is submitted and generating new versions of the data are entered into the application, thereby creating a history of all events that have occurred with regard to the data (col. 4, lines 30-59, Cotton).

Regarding claims 11 and 23, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Vleet/Cotton discloses: wherein determining an event schema comprises registering a new event (i.e. each event is stored with a time stamp, and a traceability report can be generated based on the events, thereby creating a history of all events that have occurred with regard to the data, col. 4, lines 34-37; generating an event each time new data is submitted and each time annotations, alterations, or new versions of the data are entered into the application, col. 4, lines 50-55, Cotton).

Claims 26 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US 20050033803) (hereafter Vleet) in view of Dugan et al. (US 6779030) (hereafter Dugan).

Regarding claims 26, all the limitations of this claim have been noted in the rejection of claims 1-3 and 5 above, respectively. In addition, Vleet discloses: defining an event schema

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for an event wherein the event comprises interactions of a user with an article associated with an application (i.e. it initially checks its respective cache to determine whether the relevant event data resides therein, and responds to the query of the data is present..., paragraph 0040, and web application 38, fig. 1, Vleet)); wherein registering the event schema comprise indexing and storing the event schema (i.e. index generated by a web crawler program, , 0026, 0059, Vleet). However, Vleet didn't disclose: placing the event data in a queue and indexing the event data responsive to its position in the queue. On the other hand, Dugan discloses: placing the event data in a queue and indexing the event data responsive to its position in the queue (i.e. a priority event queue for holding all service related event information received during processing, all events related to service processing has an associated priority and the thread will manage processing of event information according to its priority, i.e., its placement in that service event queue, col. 44, lines 61-66 and col. 46, lines 11-24, Dugan).

Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to placing the event data in a queue and indexing the event data responsive to its position in the queue in the system of Vleet as taught by Dugan. The motivation being to enable the method to determining the location in the queue wherein the event should be stored according to its priority and processes the event of highest priority when it is allocated processing time from the system, (col. 46, lines 20-25, Dugan).

Regarding claim 31, all the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Vleet/Dugan discloses: further comprising placing the event data in a queue and indexing the event data responsive to its position in the queue (i.e. a priority

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event queue for holding all service related event information received during processing, all events related to service processing has an associated priority and the thread will manage processing of event information according to its priority, i.e., its placement in that service event queue, col. 44, lines 61-66 and col. 46, lines 11-24, Dugan). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to placing the event data in a queue and indexing the vent data responsive to its position in the queue in the system of Vleet as taught by Dugan. The motivation being to enable the method to determining the location in the queue wherein the event should be stored according to its priority and processes the event of highest priority when it is allocated processing time from the system, (col. 46, lines 20-25, Dugan).

Regarding claim 32, all the limitations of these claims have been noted in the rejection of claim 31 above. In addition, Vleet/Dugan discloses: wherein indexing is performed by the computer used by the user and further comprising: accessing performance data about the performance of the computer; and one of indexing the event data responsive to the performance data and generating an implicit query responsive to the performance data (0059, 0060, Vleet).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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